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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,895	12/10/2003	Robert A. Luciano JR.	GAM-02-006	6901

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ALLIANCE GAMING CORPORATION  
6601 S. BERMUDA ROAD  
LAS VEGAS, NV 89119

EXAMINER
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YOO, JASSON H

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/732,895

Applicant(s)

LUCIANO ET AL. C

Examiner

Jasson Yoo

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, Claims 2, 6, 9 (slot game, bingo game, central determination game) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5, 7-8, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilms (US No. 5,277,424) in view of Takemoto et al. (US No. 5,813,511).

Claims 1, 5, 8; Wilms disclose a method for using partial or residual game play credits (reserve credits can be played when selecting lower denomination, col. 7:11-17, 7:59-68) in a gaming environment, the method comprising:

Providing at least one gaming machine having a game playable by a player where each game play outcome is based on a random event (Fig. 1);

Providing a wagering value that evenly divides game credits (wager 10 in Fig. 1; col. 4:29-45);

Accepting game credits (col. 4:29-32);

Using said wagering value and said accepted game credits to determine a number of game plays (col. 4:58-60);

Using a single win amount for each of said determined number of game plays (win amount is based on wager; col. 3:4-10, 6:25-30, 7:33-38);

Tallying win events, if any during said game plays (col. 5:15-17);

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Associating a value with said win events, if any, using said single win amount per game play (col. 5:15-17, 6:25-30); and,

Making said associated value retrievable by player (col. 8:3-14).

Wilms discloses a method for using partial or residual game play credits in a wagering game. Wilms also discloses the denomination initially selected will set as default so the player will not need to change denomination from round to round (col. 5:49-59). However Wilms does not specifically teach the determined number of game plays can be completed without player input. In an analogous art to wagering games and methods of initiating a game, Takemoto et al. teach a wagering game which plays a certain number of times without the players input (col. 2: 52 – 2:13). This reduces the time the player execute the start lever, and thereby allow players to play more games in a given amount of time, and provide more sales to the casino (col. 1:56 – 2:24). Therefore it would have been obvious in one skilled in the art at the time the invention was made to modify Wilms wagering game of using remaining and partial credits, and incorporate Takemoto et al. method of continuously play of rounds in a wagering game, in order to allow more plays in a given amount of time, and provide more sales to the casino.

Claims 3, 10; Wilms teaches the wagering value is further less than or equal to a wager value of any other game in a set of games, each game having

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its outcome is based at least partially on a random event (wager can be a lower denomination (col. 7:29-39, 7:59-68).

Claim 7, as discussed above, Wilms teaches the single win amount for each of the determined number of game plays is a single win amount for all games played at any given time (win amount is based on wager; col. 3:4-10, 6:25-30, 7:33-38).

Claims 2, 6, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilms (US No. 5,277,424) in view of Takemoto et al. (US No. 5,813,511), and in further view of Holch et al. (US No. 6,089,982).

Claims 2, 6, 9; Wilms discloses a method for using partial or residual game play credits in a wagering game. The wagering game can be a video poker game or any gaming devices; col. 2:24-54). However, Wilms does not specifically teach one of the game is one of: a slot game; a bingo game; a central determination game. In an analogous art to wagering games and player game accounting, Holch et al.'982 teach of a wagering game device wherein each game is based on a random event, and the waged amounts are debited or credited to a player's account (cols. 1:62-2:41). Holch et al.'982 teach multiple games of chance (lotto, keno, bingo, slot (col. 4:11, 25-27) that can be played. Each game's result is based on a random number from game server (col. 4:28-32, 4:57 – 5:5) in order to provide a game that does not contravene conventional

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state gaming laws (col. 2:4-6). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify Wilms wagering game of using remaining and partial credits and incorporate Holch et al.'982 random event when determining the even of each game outcome, in order to provide various wagering games meeting conventional state gaming laws (col. 2:4-6).

Claims 4, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilms (US No. 5,277,424) in view of Takemoto et al. (US No. 5,813,511), and in further view of Holch et al. (US No. 6,089,982), and in further view of Raven et al. (US No. 5,429,361).

Claims 4, 11; Wilms discloses a method for using partial or residual game play credits in a wagering game. The credits can be paid out of the gaming machine at any time (col. 8:3-14). However, Wilms does not specifically teach the set of games in one of: a bank of gaming machines; gaming machines collocated in a building; or gaming machines having interchangeable game credit vouchers. In an analogous art to wagering games and credit auditing, Raven et al. teach of credit monitory system for a gaming device where the set of games is one of: a bank of gaming machines (col. 1:54); gaming machines collocated in a building (cols. 1:14-15, and 2:22-24); or, gaming machines having interchangeable game credit vouchers (cols. 1:51-2:3, 10:38-12:4). The multiple gaming machines networked together allows automating maintenance, accounting, security, player

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tracking, event recording, and other functions for a plurality of gaming machines (col. 1:51-54). It further allow players to play a plurality of gaming machines using a single card in lieu of cash, and his winnings may be directly credited to his card (col. 1:59-63). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify Wilms wagering game of using remaining and partial credits, and incorporate Raven et al. method of having gaming machines with interchangeable game credit vouchers, in order to provide credit management for players and other player accounting functions.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,685,559 discloses method of playing a wagering game using remaining and partial credits

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasson Yoo whose telephone number is (571)272-5563. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Jones can be reached on (571)272-4438. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JHY

A handwritten signature in black ink, appearing to read "Chris Blum", with a long horizontal flourish extending to the right.